

March 16, 2015

A REGULAR MEETING of the Akron Village Board was held on this date at 7:34 p.m. Present: Mayor Carl Patterson, Trustees, E. Peter Forrestel, Michael R. Middaugh, Kathryn A. Capan and Keith A. Hatswell; Clerk Treasurer Daniel P. Borchert, Public Works Manager Jon Cummings and Code Enforcement Officer Michael Borth.

The Mayor asked Trustee Capan to lead us in the pledge to the flag. Mayor Patterson also wanted to take a moment to acknowledge that this would be Trustee Capan’s last Village Board meeting. She has decided not to run again for many reasons, one being to care for her 99 year old father. Mayor Patterson thanked Trustee Capan for her many years of service to the Village including nine years on the Village Planning Board seven of which were as Chairman, eight years on the Village Board, and many hours of volunteering with other organizations including the Celebration Committee. Mayor Patterson presented her with a lovely spring bouquet of flowers.

RESOLUTION duly moved by Middaugh seconded by Capan, that the Minutes of the Regular Meeting of March 2, 2015 be and hereby is approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

RESOLUTION, duly moved by Forrestel seconded by Capan that the audit of the bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$ 40,122.68
Electric Fund	\$ 204,770.31
Water Fund	\$ 11,929.56
Sewer Fund	\$ 10,068.18
Trust & Agency	\$ 5,101.25

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Hatswell and seconded by Forrestel that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

J Little/L Riniolo	83 Main Street	Bathroom/Kit counter	\$146.00
Philip Sokolofsky	51 Buell Street	Bathroom	\$146.00

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Hatswell and seconded by Middaugh that the following Application for a Dumpster Permit for the year 2015 be and hereby is approved in accordance with the application filed and payment of the annual permit fee:

Ruth Folger	15 Madison Avenue	Akron, NY	\$50.00
-------------	-------------------	-----------	---------

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the proposed Local Law #1 for 2015 - The Village of Akron Dog Licensing and Dog Control Law. Clerk-Treasurer Borchert read the Proof of Publication and asked if anyone wished to speak. Village Attorney explained that the Town of Newstead is the proper licensing authority, for the collection of fees and distribution of tags, for the Town including the Village of Akron. Last year the Town of Newstead amended their dog law to reflect the NYS Agriculture and Markets Law as well as the issues of rescue and breeding operations. The Village Board would like to amend the Village dog law to conform to the Town dog law amendment. Exceptions for the Village would be to limit the number of dogs per parcel to three and a multi-dog license would not be permitted. Resident Kathy Greiner stated she read an article in the Akron Bugle regarding a 72 hour time period in the case of a rescue operation taking in dogs and processing them out to foster homes. Trustee Middaugh stated that was an additional amendment that the Village added to their law. Village Property Owner Kevin Borth questioned the number of dogs allowed in the situation of a multi-family unit on one parcel. Attorney Shonn stated the law stated three dogs per parcel not per unit on the parcel.

RESOLUTION duly moved by Forrestel and seconded by Hatswell to close the Public Hearing in regards to the Local Law #1 – 2015- The Village of Akron Dog Licensing and Dog Control Law at 7:52 pm be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Forrestel and seconded by Capan to adopt the Local Law #1 of 2015 – The Village of Akron Dog Licensing and Dog Control Law which includes a paragraph concerning rescue and breeding operations on the recommendation of Village Attorney Daniel Shonn be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

APPEARANCE – Resident Erik Polkowski – came before the Board regarding the NY State Gap Elimination Adjustment Resolution. The Gap Elimination Adjustment reduces the foundation aid the school district should receive under the state formula as a measure to balance the state budget. It was implemented when the state faced a significant deficit and has not been eliminated, although that deficit is gone. Programs and services at Akron Central School have been reduced or eliminated over the past five years largely due to the Gap Elimination Adjustment. Mr. Polkowski asked if the Village Board would adopt the Resolution in support of eliminating the adjustment.

RESOLUTION duly moved by Trustee Middaugh and seconded by Trustee Hatswell

Whereas: The NY State Gap Elimination Adjustment (GEA) was implemented in 2010 as a one-time reduction in education aid to help NY State balance its budget and the GEA has continued in every budget since then; and

Whereas: The GEA since its inception has reduced state aid to the Akron Central School District by \$9,378,821; and

Whereas: The reduction in aid associated with the GEA has resulted in a cost shift to the local property taxpayer in the Akron Central School District; and

Whereas: This cost shift has resulted in unsustainable measures being implemented to balance the Akron Central Schools budget, including the reduction and elimination of school programs, personnel, services and the reductions of school district reserve funds; and

Whereas: Efforts by the Akron Central Schools to sustain programs and services contain budgets are simultaneously constrained by Property Tax Cap Legislation, unfunded and underfunded mandates, state mandated increases in pension costs and mandated implementation of Common Core Learning Standards and teacher/principal performance reviews; and

Whereas: State funding is constitutionally mandates and essential to meet all mandates and obligations to maintain the quality of education in the Akron Central Schools; and

Whereas: New York State touts recent aid increases as generous support to schools, although overall, school districts are receiving very little additional aid when compared to 2008-09; and

Whereas: Some school districts have even experienced state aid decreases from 2008-09 to 2014-15;

Resolved, That the Village of Akron calls upon the New York State Legislature to end GAP Elimination Adjustments when they adopt New York State's 2015-16 Annual Budget.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	KEITH A. HATSWELL	- AYE

Shawn Schweis came before the Board to update them about his desire to open a restaurant in the old Akron House Restaurant located at 15 Main Street. He is planning on naming it The Akron Ale House and will serve American Casual dining and beverages. He also will be hosting banquets on the second floor. He has two other locations, one in Eden, NY and the other in West Seneca, NY. At this point he is waiting on his liquor license and striving to open within a month. His application has gone before the Planning Board, but he was not able to attend that meeting. The Board welcomed his idea and stated that the Village and surrounding area would be delighted to see his restaurant open.

PUBLIC COMMENT – Resident Doug Ceisner asked about building permits at 84 East Avenue and 163 East Avenue as well as a dumpster permit at 163 East Avenue. Code Enforcement Officer Borth reported that owners of 163 East Avenue planned on replacing the roof in November 2014 but the large amounts of snowfall postponed the project. They will be coming in for both a building permit and a dumpster permit as soon as the weather breaks.

Kevin Borth new owner of 84 East Avenue was present and stated that he would be compliant with all State and Village building codes as he begins limited updates on the property.

PROJECT REPORTS –

Joint Facility – Review Inter-Municipal Agreement with Town of Newstead – Village Attorney Shonn stated that he and Town Attorney Nathan Neill would like to present the agreement at the next Joint Facility Committee meeting.

MONTHLY REPORTS –

Departments –

CLARK PATTERSON LEE – Representative Steve Tanner was not present but did submit a report for Clerk-Treasurer Borchert to distribute to the Board

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing new

Trustee Middaugh – reported: met with Akron Central School Principal Joe Lucenti and Middle School Principal Joe Caprio regarding the progress of the School Resource Officer Program. Discussion was held regarding developing a manual for the position as well as extra training. The School has been very happy with the SRO position so far. Trustee Middaugh stated that he met with Village Attorney Don Shonn regarding the Time Warner Cable Contract and will be meeting with a representative from Time Warner to review the contract. He also attended the Eagle Scout Ceremony for Doni Roehling whose project was the Barbeque Pit in Russell Park and Peter York who did the landscaping for the C Dee Wright Center as his project. He stated it was a great achievement for both young men. Lastly, he stated what a privilege it was serving with Trustee Capan for the last 8 years and thanked her for her time on the Village Board as well as her time spent on the Village Planning Board.

Mayor Patterson – reported: echoed Trustee Middaugh statements regarding the deserved achievements of Doni Roehling and Peter York whose Eagle Scout projects are very visible within the community and very nicely done. He also wanted to again thank Trustee Capan for all her service throughout the years since her involvement in the Village government began in 1999 as well as the many hours spent at committee meetings and volunteering. She will be missed. He attended the Akron Fire Hall 92nd Installation Dinner and congratulated all the past, present and new members. He asked if everyone could keep Fireman Gary Baehr and his family in their prayers. Thanked the DPW for the lovely tribute to Richard E. Forrestel during his funeral procession. Also thanked the DPW for the great job fixing all the frozen water service lines. Lastly, will be attending the Village Officials meeting on March 19th and the Erie County Government Association meeting on March 26th.

Trustee Forrestel – on behalf of his whole family he wanted to thank the DPW for the very touching tribute to his father, Richard E. Forrestel. He reported that now that a lot of the snow has melted, the Village tree trimming program has begun. Soon the removal of several of the larger trees in the Village will begin; all done internally, which is a credit to the skill set of the DPW. Lastly thanked Trustee Capan for her service and stated it was a pleasure working with her on the Water, Wastewater Committee

Trustee Hatswell – wished Trustee Capan well in her retirement from the Village Board

OLD BUSINESS

Ron Berry Memorial Fields –nothing new

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue – nothing new

Cable Contract – Trustee Middaugh met with Village Attorney Shonn

Dog Law Amendment – Public Hearing held this evening.

Employee Contract – expiring May 31, 2015

Budget – Meetings scheduled for March 23 and March 30, 2015 at 6:30 pm

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Capan to approve the Yearly Inter-Municipal Recycling Agreement between the Village of Akron and the Town of Newstead effective January 2014 be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	KEITH A. HATSWELL	- AYE

Trustee Forrestel commented on the nice job Clerk-Treasurer Borchert has done on the Recycling, Hazardous Waste and Shredding events held jointly with the Town of Newstead

CORRESPONDENCE

Town of Amherst Central Fire Alarm February 2015 Operations Report

Time Warner Cable soon to be expiring agreements with programmers and broadcasters

PUBLIC COMMENT: Trustee Capan wanted to thank the Board for the opportunity to work with them and for the kind words and flowers tonight. She noted, “I thank the residents of the Village of Akron for electing me. It has been an honor and privilege to serve them for the past eight years. During my time on the Board, it has always been the desire of all the Board members to have our residents’ best interest in mind. Under the leadership of Mayor Patterson, I feel we continue to accomplish that day after day. We strive to keep our costs under control and continue to keep our village a safe and desirable place to call home.

On motion of Hatswell and seconded by Capan at 8:23 p.m. this meeting was ADJOURNED

MAYOR

CLERK-TREASURER